

105TH CONGRESS  
1ST SESSION

# H. R. 2666

To provide for adjustment of status of certain Nicaraguans.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 9, 1997

Ms. ROS-LEHTINEN introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To provide for adjustment of status of certain Nicaraguans.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. ADJUSTMENT OF STATUS OF CERTAIN NICA-**  
4       **RAGUANS.**

5       (a) ADJUSTMENT OF STATUS.—The status of any  
6       alien described in subsection (b) may be adjusted by the  
7       Attorney General, in the Attorney General's discretion and  
8       under such regulations as the Attorney General may pre-  
9       scribe, to that of an alien lawfully admitted for permanent  
10      residence if—

1           (1) the alien applies for such adjustment within  
2       two years after the date of the enactment of this  
3       Act;

4           (2) the alien is otherwise eligible to receive an  
5       immigrant visa and is otherwise admissible to the  
6       United States for permanent residence, except in de-  
7       termining such admissibility the grounds for exclu-  
8       sion specified in paragraphs (4), (5), (7)(A), and 9  
9       of section 212(a) of the Immigration and Nationality  
10      Act shall not apply and the Attorney General may  
11      waive the ground for exclusion specified in para-  
12      graph (6)(C) of such section;

13          (3) the alien is not an alien described in section  
14      241(b)(3)(B) of such Act;

15          (4) the alien is physically present in the United  
16      States on the date the application for such adjust-  
17      ment is filed; and

18          (5) the alien has continuously resided in the  
19      United States since March 26, 1997.

20      (b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STA-  
21      TUS.—The benefits provided by subsection (a) shall apply  
22      to—

23          (1) any alien—

24              (A) who is a national of Nicaragua,

1 (B) who arrived in the United States be-  
2 fore March 26, 1997, and

3 (C) who (unless the alien filed an applica-  
4 tion for asylum with the Immigration and Nat-  
5 uralization Service before March 26, 1997) was  
6 not admitted to the United States as a non-  
7 immigrant; and

8 (2) any alien who is the spouse or child of an  
9 alien under paragraph (1).

10 (c) RECORD OF PERMANENT RESIDENCE AS OF  
11 MARCH 26, 1997.—Upon approval of an alien’s applica-  
12 tion for adjustment of status under subsection (a), the At-  
13 torney General shall establish a record of the alien’s ad-  
14 mission for permanent residence as of March 26, 1997.

15 (d) NO OFFSET IN NUMBER OF VISAS AVAILABLE.—  
16 When an alien is granted the status of having been law-  
17 fully admitted for permanent residence pursuant to this  
18 section, the Secretary of State shall not be required to re-  
19 duce the number of immigrant visas authorized to be is-  
20 sued under the Immigration and Nationality Act and the  
21 Attorney General shall not be required to charge the alien  
22 any fee.

23 (e) APPLICATION OF IMMIGRATION AND NATIONAL-  
24 ITY ACT PROVISIONS.—Except as otherwise specifically  
25 provided in this section, the definitions contained in the

1 Immigration and Nationality Act shall apply in the admin-  
2 istration of this section. Nothing contained in this section  
3 shall be held to repeal, amend, alter, modify, effect, or re-  
4 strict the powers, duties, functions, or authority of the At-  
5 torney General in the administration and enforcement of  
6 such Act or any other law relating to immigration, nation-  
7 ality, or naturalization. The fact that an alien may be eli-  
8 gible to be granted the status of having been lawfully ad-  
9 mitted for permanent residence under this section shall  
10 not preclude the alien from seeking such status under any  
11 other provision of law for which the alien may be eligible.

12 **SEC. 2. SUSPENSION OF DEPORTATION.**

13       Section 309(c)(5) of the Illegal Immigration and Im-  
14 migrant Responsibility Act of 1996 shall not apply with  
15 respect to an application for suspension of deportation  
16 pending or filed on or after the date of the enactment of  
17 this Act with respect to any alien described in section 1(b).

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